

# EXHIBIT T

UNITED STATES DISTRICT COURT  
Northern District of Illinois

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ANTONI MUHAWI, :  
:  
Plaintiff, : CASE NO.  
:  
vs. : 18-CV-02022  
:  
PANGEA EQUITY PARTNERS, et :  
al. :  
:  
Defendants. :  
:  
- - - - - :

DEPOSITION OF KATHRYN LUDWIG

DATE: December 6, 2022  
TIME: 10:00 a.m.  
LOCATION: Holland & Knight, LLP  
800 17th St., NW  
Suite 1100  
Washington, DC 20006  
  
REPORTED BY: Constance H. Rhodes  
Reporter, Notary

Veritext Legal Solutions

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 On behalf of Plaintiff:</p> <p>4 PATRICK R. FITZSIMMONS, ESQUIRE</p> <p>5 ROB FLUSKY, ESQUIRE (Via Zoom)</p> <p>6 Hodgson Russ</p> <p>7 140 Pearl Street</p> <p>8 Suite 100</p> <p>9 Buffalo, New York 14202</p> <p>10 (716) 848-1710</p> <p>11 Pfitzsimmons@hodgsonruss.com</p> <p>12</p> <p>13 On behalf of Defendants:</p> <p>14 STEVEN D. GORDON, ESQUIRE</p> <p>15 MICHAEL A. GRILL, ESQUIRE (Via Zoom)</p> <p>16 Holland &amp; Knight</p> <p>17 800 17th Street, Northwest</p> <p>18 Suite 1100</p> <p>19 Washington, DC 20006</p> <p>20 (202) 955-3000</p> <p>21 Steven.gordon@hklaw.com</p> <p>22</p> <p>15 SUNIL KUMAR, ESQUIRE</p> <p>16 Deputy General Counsel</p> <p>17 Chicago Housing Authority</p> <p>18 61 East Van Buren, 12th Floor</p> <p>19 Chicago, Illinois 60605</p> <p>20 Skumar@thecha.org</p> <p>21 ALSO PRESENT:</p> <p>22 Krusha Evans, Esq., Pangea (via Zoom)</p> <p>***</p>	<p style="text-align: right;">Page 4</p> <p>1 PROCEEDINGS</p> <p>2 WHEREUPON,</p> <p>3 KATHRYN LUDWIG</p> <p>4 called as a witness, and having been first duly</p> <p>5 sworn, was examined and testified as follows:</p> <p>6 EXAMINATION BY COUNSEL FOR DEFENDANT</p> <p>7 BY MR. GORDON:</p> <p>8 Q Ms. Ludwig, would you please state your</p> <p>9 name for the record?</p> <p>10 A Sure. My legal name is Kathryn Ludwig,</p> <p>11 but I go by Katie.</p> <p>12 Q Have you ever had your deposition taken</p> <p>13 before?</p> <p>14 A No.</p> <p>15 Q So let me go over a few preliminaries</p> <p>16 with you. It's important that we don't speak over</p> <p>17 each other or -- same with Mr. Fitzsimmons when</p> <p>18 he's questioning you. I'll try to avoid it, but</p> <p>19 if it sometimes happens, we'll just make sure we</p> <p>20 get a clean record.</p> <p>21 Second, we'll be using various acronyms</p> <p>22 and shorthands in this deposition. I think they</p>
<p style="text-align: right;">Page 3</p> <p>1 CONTENTS</p> <p>2 EXAMINATION BY: PAGE</p> <p>3 Counsel for Defendants 4</p> <p>4</p> <p>5 DEFENDANTS' MARKED DEPOSITION EXHIBITS:*</p> <p>6 Exhibit 60 4/16/15 Cheryl Burns email to Kathryn</p> <p>7 Ludwig re: Rent Rolls 35</p> <p>8 Exhibit 61 6/15/15 Cheryl Burns email to Kathryn</p> <p>9 Ludwig re: SFTP for Pangea 38</p> <p>10</p> <p>11 PLAINTIFF'S PREVIOUSLY MARKED EXHIBITS</p> <p>12 Exhibit 13 7/23/15 email correspondence between</p> <p>13 CHA CVP and Pangea re: Rent Rolls</p> <p>14 Exhibit 26 11/2/15 Cheryl Burns email to Kathryn</p> <p>15 Ludwig re: HCV Sept. Rent Roll.</p> <p>16 Exhibit 55 Chicago Housing Authority FY2015</p> <p>17 Administrative Plan for Housing Choice</p> <p>18 Voucher Program</p> <p>19</p> <p>20 DEFENDANTS' PREVIOUSLY MARKED EXHIBITS</p> <p>21 Exhibit 35 4/16/15 email correspondence</p> <p>22 between CHA CVP and Pangea re: Rent</p> <p>Rolls</p> <p>(* Exhibits attached to transcript.)</p>	<p style="text-align: right;">Page 5</p> <p>1 will all be familiar to you, but for the record let</p> <p>2 me go through them. Can we agree that CHA will</p> <p>3 stand for Chicago Housing Authority?</p> <p>4 A Yes.</p> <p>5 Q And that we're going to be talking about</p> <p>6 the housing choice voucher program, which may</p> <p>7 sometimes be referred to as HCV. Is that</p> <p>8 agreeable?</p> <p>9 A Yes.</p> <p>10 Q And I am counsel for the defendants in</p> <p>11 this case, a group of entities that are connected</p> <p>12 to Pangea. For simplicity we'll just refer to</p> <p>13 them as Pangea. Is that acceptable to you?</p> <p>14 A Sure.</p> <p>15 Q I don't think I have any other</p> <p>16 preliminaries beyond those.</p> <p>17 Ms. Ludwig, would you please recount your</p> <p>18 education post secondary?</p> <p>19 A Sure. I have a master's degree in</p> <p>20 public policy from the University of Chicago. I</p> <p>21 graduated from there in 2001.</p> <p>22 Q Okay. And your undergraduate degree?</p>

<p style="text-align: right;">Page 6</p> <p>1 A I have a bachelor's of arts, a BA, from  2 DePaul University, and I double majored in English  3 and political science. I graduated there in '99.  4 Q And could you recount for us your  5 employment history after getting your master's  6 degree?  7 A Sure. I started -- after I graduated  8 from the Harris School of the University of  9 Chicago, I started in the City of Chicago's budget  10 office, and I worked there -- so that was in like  11 the summer of 2001. I worked there for three or  12 four years and then worked for the City of Chicago  13 in various capacities. I worked in the Department  14 of Housing. I worked in the Chicago Public  15 Library. And then eventually moved over to the  16 Chicago Housing Authority. And I don't remember  17 exactly which year that was, but I spent about  18 four and a half years there at the Chicago Housing  19 Authority at the CHA.  20 Q Okay. Now, how many years were you at  21 the Chicago Public Library?  22 A I was there about a year.</p>	<p style="text-align: right;">Page 8</p> <p>1 generally speaking, so decided that I wanted to  2 get back into that and heard -- you know, saw  3 openings there and decided to -- to apply and move  4 over there.  5 Q What position did you take as CHA?  6 A So I think the title -- at the time I  7 know my title changed a couple times while I was  8 at CHA. I don't remember -- I want to say the  9 exact title I don't remember, but it was something  10 to the effect of like deputy for the housing  11 choice voucher program. I don't exactly remember  12 the title.  13 Q And you joined CHA in approximately  14 2014?  15 A Early 2014, yes.  16 Q And during your -- when was it that you  17 left CHA?  18 A I left CHA in, I want to say,  19 October 2018.  20 Q So you were at CHA for a little over  21 four years? About four and a half years?  22 A Yes.</p>
<p style="text-align: right;">Page 7</p> <p>1 Q And what position did you have there?  2 A I was the deputy commissioner over  3 finance and administration.  4 Q And how many deputy commissioners are  5 there in the library?  6 A There -- I think it -- so there was a  7 commissioner and there was a first deputy  8 commissioner, and then I think at the time I was  9 the only other deputy commissioner.  10 Q So is it fair to say that you held one  11 of the top three administrative posts in the  12 library?  13 A Sure.  14 Q And you said you were in charge of  15 finance there?  16 A Yeah. Finance and administration.  17 Q What led you to move to CHA?  18 A I -- so I had previously worked in the  19 city housing issues. For probably most of my  20 career with the City of Chicago I was working on  21 housing issues. I enjoyed my work at the library  22 but really missed working on housing stuff</p>	<p style="text-align: right;">Page 9</p> <p>1 Q During your time at CHA did your  2 position change?  3 A Yes.  4 Q How did it change?  5 A At some point -- and again, I can't  6 remember exactly when, the CEO did a  7 reorganization, and I became a chief and I  8 reported directly to the CEO, Jean Jones, at the  9 time. So yeah, I went from being a deputy, or  10 again some similar title to that, to then being a  11 chief -- the chief housing choice officer --  12 excuse me -- chief housing choice voucher officer.  13 Q Okay. Is it fair to say then that your  14 entire tenure with CHA you were working in the  15 housing choice voucher program?  16 A Yes.  17 Q And you were first the deputy chief and  18 ultimately the chief of the CHA housing choice  19 voucher program?  20 A Correct.  21 Q When you were deputy, to whom did you  22 report?</p>

<p style="text-align: right;">Page 10</p> <p>1 A I initially reported to Ellen Sahli, and  2 I don't remember exactly what her title was.  3 Maybe something to the effect of chief housing  4 officer. At some point Ellen left. I don't  5 remember when that was, and I will say I don't  6 remember who I was reporting to at that time.  7 Q Okay and then thereafter you started  8 reporting to the CEO when you became chief?  9 A Correct.  10 Q Now, when you reported to -- Ms. Sahli  11 was it?  12 A Yes.  13 Q Was she the chief of the housing choice  14 voucher program, or were her responsibilities  15 broader than the housing choice --  16 A Her responsibilities were broader than  17 the housing choice voucher program.  18 Q So is it fair to say then during that  19 entire period you were the top administrator for  20 the housing choice voucher program as such?  21 MR. KUMAR: Objection to form. You may  22 answer.</p>	<p style="text-align: right;">Page 12</p> <p>1 members of the executive team as well that I just  2 don't remember specific names and titles.  3 Q And what issues do you recall consulting  4 with these other people on?  5 A I mean lots of different, you know,  6 policy issues, different -- all different kinds of  7 issues. I mean lots of different things that  8 would come up.  9 Q Can you give us some examples?  10 A You know, how we were going to -- you  11 know, dealing with our wait list. And one of my  12 first projects when I worked at CHA was opening  13 the wait list. And we were going to open the wait  14 list for the housing choice voucher program and  15 public housing program at the same time. So there  16 was a lot of coordination there. I was not the  17 sole decision maker on any of that. I had to be  18 coordinating all of that. So that's just one  19 example.  20 But other issues related to sort of  21 engagement with our population and how we were going  22 to be out reaching to them and communicating to</p>
<p style="text-align: right;">Page 11</p> <p>1 A I would say I focused on the housing  2 choice voucher program, but I was not the ultimate  3 decision maker on the program while I was there.  4 Q Who was the ultimate decision maker?  5 A I think there were many decisions that  6 would be made at a higher executive level. So  7 whether I was at the deputy chief level or at the  8 chief level, there were other folks that would  9 have a say in HCV matters.  10 Q And who were those folks?  11 A So the chief executive officer, you  12 know, others on the executive team.  13 Q And who were those others?  14 A Oh, I'm trying to remember. I mean  15 there were -- there were a lot of different people  16 there. It's been a while. I know our -- and  17 again, I can't remember what his title was --  18 chief of staff. Jose Alvarez was one person. The  19 chief legal officer. I consulted a lot of with  20 our public housing folks and whoever was in charge  21 of the public housing side of the operation. So  22 other members -- and again, there were other</p>	<p style="text-align: right;">Page 13</p> <p>1 them, those kinds of things, also would be another  2 example.  3 MR. FITZSIMMONS: Steve, I'm sorry to  4 interrupt. We have people in the waiting room to be  5 let into the deposition.  6 (Brief pause.)  7 BY MR. GORDON:  8 Q Ms. Ludwig, you said that one of your  9 big projects when you came to CHA was to open up  10 the waiting list for the voucher program; is that  11 right?  12 A Yes.  13 Q What other big projects did you  14 undertake while you were at CHA.  15 A I'm trying to think here. That was one  16 of the biggest and took a while. We were also in  17 a significant period -- or issuing more vouchers.  18 So we were doing -- we kind of referred to it as  19 our lease-up project, so we were increasing the  20 number of voucher holders that we had in our  21 program. So that was another initiative.  22 I know we did -- sort of another project</p>

<p style="text-align: right;">Page 14</p> <p>1 we worked on was sort of reconfiguring I guess -- I  2 can't think of a better word -- for our -- we had a  3 group of voucher holders that we referred to -- I  4 think they were the voucher holding council. I  5 might not be getting the name exactly right, but it  6 was a group of, you know, a dozen or so voucher  7 holders that we met with regularly to get their  8 feedback on how the program was going.  9 At one point we sort of re -- like I said,  10 reconfigured that group and had people apply for  11 positions on that council and things like that. I'm  12 trying to think -- I know this is going back a  13 while, so I have kind of limited recollection.  14 Those are the biggest ones I can remember off the  15 top of my head right now.  16 Q And now you just mentioned the voucher  17 holder council. Those are in some ways the people  18 you are serving. This would be a group  19 representing the people you are serving.  20 A Yes.  21 Q Did you have any similar organization  22 with respect to landlords?</p>	<p style="text-align: right;">Page 16</p> <p>1 And you mentioned it increased, so if you could  2 sort of give us an idea of what it started at and  3 how it increased.  4 A I will say I don't remember what we  5 started at when I was at CHA. By the time I left  6 I want to say we were right around 40,000  7 households. But we -- I can't remember exactly  8 where we were when I started.  9 Q But it was significantly less than that?  10 A I think so. I want to say it was --  11 yes. I just can't remember the exact number.  12 Q Let me switch to the landlord side and  13 ask approximately how many landlords did you have  14 in the program?  15 A I don't remember that.  16 Q Can you give even a ballpark figure?  17 A I really could not. I don't remember  18 that.  19 Q All right. Who were the biggest  20 landlords in the program?  21 A I wouldn't -- I don't even remember  22 that.</p>
<p style="text-align: right;">Page 15</p> <p>1 A Yes.  2 Q Could you tell me about that please.  3 A Sure. We had a group of landlords that  4 we met with regularly. I'm trying to think. The  5 landlord group may have been a bit different from  6 the resident group, though, in that -- so we held  7 regular landlord networking events, but I honestly  8 can't remember if that was a closed group or if  9 any landlord who wanted to attend could attend.  10 The resident group was very much like you  11 had to be appointed to that group to attend. The  12 landlord group -- I can't remember -- I think it may  13 have been more open. But we held regular -- and I  14 want to -- I can't remember how often we held them,  15 but regular networking events, typically in the  16 evening where we would meet with them and get them  17 feedback on the different issues and talk to them  18 about new things that might be coming out, so on and  19 so forth.  20 Q Approximately -- and I'm looking just  21 for ballpark figures here -- approximately how  22 many voucher holders did you have in the program?</p>	<p style="text-align: right;">Page 17</p> <p>1 Q Okay. Could you tell me, please, who  2 were the direct reports that you had while you  3 worked at CHA?  4 A Sure. I don't know that I will remember  5 each and every one of them, but I know -- I will  6 tell you that the main ones, I guess, were Cheryl  7 Burns, Karen Humphrey. Donna Thomas was my  8 assistant. I think Steven Field reported directly  9 to me. There may have been others, but those are  10 the ones I remember most right now.  11 Q What was Ms. Burns' area of  12 responsibility?  13 A So I don't -- you know, I don't remember  14 exactly what her job description would have been.  15 I thought of her as sort of everything related to  16 the operation of the program was sort of her area  17 of responsibility. She -- she took, you know,  18 primary responsibility for the -- again, the  19 operation of the program.  20 Q And what was the primary responsibility  21 of Ms. Humphrey?  22 A Karen did a lot of our outreach</p>

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<p style="text-align: right;">Page 18</p> <p>1 engagement following up on concerns raised by 2 landlords or tenants. Yeah. Those were the main 3 areas of responsibility.</p> <p>4 Q Your assistant, Ms. Thomas, did she have 5 any particular responsibilities or she was --</p> <p>6 A She -- Donna mostly helped me 7 administratively. So right, like helping me with 8 scheduling, answering calls, correspondence, those 9 kind of things.</p> <p>10 Q And Mr. Field, what was his area of 11 responsibility?</p> <p>12 A He helped me -- well helped all of us, 13 helped the team on primarily policy related 14 matters. So you know, if we were considering, you 15 know, changing any of our policies, things like 16 that, he was -- you know, would do research on 17 that. So again, mostly policy matters.</p> <p>18 Q Why did you leave CHA in 2018?</p> <p>19 A I was ready for a change. I had been 20 there for four and a half years. I enjoyed 21 working on housing stuff but was also ready to, 22 again, make a change and go work on some different</p>	<p style="text-align: right;">Page 20</p> <p>1 correspondence that you reviewed to refresh 2 yourself?</p> <p>3 A I was sent it by Sunil, my attorney.</p> <p>4 Q Other than your contacts with Mr. Kumar 5 or other attorneys at CHA, have you had contact 6 with anyone else about the case?</p> <p>7 A I will say some point earlier this 8 Cheryl reached out to me and just asked if I had 9 any materials, notebooks, notes, anything like 10 that; and I told her I didn't. So she didn't give 11 me any detail but kind of had said, hey, there's 12 this things going on and do you have any notes or 13 anything on this, and I said, no, I don't.</p> <p>14 Q In addition to reviewing the materials 15 that you mentioned, did you do anything else to 16 prepare for your deposition today?</p> <p>17 A No. Well, I guess I -- I will say I met 18 with Sunil for a couple hours the other day just 19 to go over some other things. Technically, I 20 suppose that was prep, so I should correct that.</p> <p>21 Q When do you first recall dealing with 22 Pangea as one of the landlords in the CHA program?</p>
<p style="text-align: right;">Page 19</p> <p>1 things so decided to explore other opportunities.</p> <p>2 Q Ms. Ludwig, let me turn to the lawsuit 3 that brings us all here today which involves Mr. 4 Muhawi suing Pangea under the False Claims Act. 5 And my first question to you, ma'am, is what 6 knowledge, if any you have about this lawsuit?</p> <p>7 A I've looked over some of the materials, 8 so I guess I would say high-level understanding 9 of the claims.</p> <p>10 Q What materials have you looked at, 11 ma'am?</p> <p>12 A I looked at some of the emails that I 13 was copied on back when I was working at CHA. I 14 think I saw some copies of exhibits and maybe 15 even -- I don't know what the right word is -- the 16 complaint or the -- you know, the writeup. I 17 didn't read it in detail, but I kind of glanced 18 over it.</p> <p>19 Q Did you retain any CHA materials when 20 you left CHA?</p> <p>21 A No.</p> <p>22 Q How was it that you received the email</p>	<p style="text-align: right;">Page 21</p> <p>1 A I guess I would say -- what do you mean 2 by "dealing with"? And the only reason I would 3 say I personally wasn't dealing with them but I -- 4 from day one I knew they were a landlord in the 5 program.</p> <p>6 Q Well, and why is it or how is it that 7 you knew that Pangea was a landlord in the 8 program?</p> <p>9 A They were a -- it was just common 10 knowledge. They were a large landlord in the 11 city, and so they -- you know, it was just sort of 12 common knowledge they were a landlord in the 13 program.</p> <p>14 Q Would it be fair to say they were at 15 least one of the large landlords in the program?</p> <p>16 A Yes.</p> <p>17 Q Do you recall any other large landlords 18 in the program that you would put in the same 19 category as Pangea?</p> <p>20 A Not off the top of my head.</p> <p>21 Q And would it be fair to say then that 22 they were the largest landlord as far as you knew?</p>



<p style="text-align: right;">Page 22</p> <p>1 A I don't feel comfortable saying that  2 just because I don't recall right now, and, again,  3 it's been some time. So possibly. I just don't  4 know with any certainty.  5 Q Can you think of any other landlord that  6 was of comparable size?  7 A Again, not right now.  8 Q When do you recall first having any  9 dealings with Pangea yourself?  10 A I don't remember. I mean -- yeah, I  11 don't remember.  12 Q What sort of dealings do you recall  13 having with Pangea during the course of your  14 tenure at CHA?  15 A I'm sure we exchanged emails, and I  16 think at one point probably had some meetings.  17 But I don't recall when those were.  18 Q What sort of meetings do you recall  19 having with Pangea?  20 A I don't even remember what the topics  21 were. I do believe that Pangea did attend our  22 landlord -- again, those -- those landlord</p>	<p style="text-align: right;">Page 24</p> <p>1 A Yes.  2 Q And how often did you deal with the  3 office of inspector general or OIG?  4 A I don't know how often. I don't know  5 how often I would meet with them or anything like  6 that. I know when we had issues to discuss we  7 would meet; but again, I don't know how frequently  8 that was.  9 Q And what issues do you recall dealing  10 with OIG on?  11 A I don't -- again, it's been a long time  12 I don't have specific memories of any of those  13 cases right now.  14 Q Do you recall that there was a complaint  15 made to OIG about Pangea charging higher rents for  16 assisted units than for unassisted units?  17 A I did not recall that. I don't -- I was  18 not aware of that.  19 Q Do you recall that issue coming up,  20 albeit not in connection with OIG?  21 A I remember, yes, this issue being  22 brought to my attention, yes.</p>
<p style="text-align: right;">Page 23</p> <p>1 networking sessions that I referred to earlier. I  2 believe Pangea attended those fairly regularly.  3 So I think I would see them there, interact with  4 them there. I think, in addition, I had meetings  5 with them at CHA offices. I cannot remember what  6 the topics of those conversations would have been.  7 Q Okay. Do you recall any of the  8 individuals from Pangea that you dealt with?  9 A I do remember David Jaffe, and I think  10 there were others, but I don't remember names.  11 Q What did you understand Mr. Jaffe's  12 position at Pangea to be?  13 A I don't really know. Someone in charge  14 of lease up, but I couldn't say with any  15 certainty.  16 Q Did you deal with Pangea more or less  17 than other landlords in the voucher program?  18 A Did I personally?  19 Q Yes.  20 A I wouldn't say any more or less.  21 Q During your tenure at CHA, did you have  22 dealings with the CHA office of inspector general?</p>	<p style="text-align: right;">Page 25</p> <p>1 Q Who brought it to your attention?  2 A Cheryl did.  3 Q And appreciating that it's been a while,  4 can you tell us approximately when it was that she  5 brought it to your attention?  6 A I would not remember that.  7 Q We'll look at some emails that may help  8 give us a time frame.  9 Tell us what you recall about Ms. Burns  10 bringing this to your attention.  11 A I remember Cheryl, again, letting me  12 know that there was a concern that had been raised  13 that it was potentially the case that Pangea was  14 charging on HCV tenants a higher rent than market  15 tenants or nonsubsidized, non-HCV tenants in the  16 same building and wanting to know -- you know,  17 wanting to get my feedback on sort of how we  18 should proceed. She made a recommendation on  19 what, you know, what she thought we should do,  20 and, you know, we both agreed that the CHA should  21 look into this, review the matter, review the  22 facts, and go from there. And I asked Cheryl to</p>

7 (Pages 22 - 25)



<p style="text-align: right;">Page 26</p> <p>1 sort of take the lead on all of that.</p> <p>2 Q What was her recommendation?</p> <p>3 A That we should review, again, the</p> <p>4 information that we had at our -- available to us.</p> <p>5 Q What steps were taken to do that?</p> <p>6 MR. KUMAR: Objection. Form. Foundation.</p> <p>7 You may answer.</p> <p>8 THE WITNESS: I believe we -- and when I</p> <p>9 say we, I mean CHA -- requested information from</p> <p>10 Pangea about the units that it was renting to the</p> <p>11 HCV holders as well as information for non-CHA</p> <p>12 leaseholders.</p> <p>13 BY MR. GORDON:</p> <p>14 Q Would this information be called</p> <p>15 rent-roll information?</p> <p>16 A Yes.</p> <p>17 Q Is that a common term in the industry?</p> <p>18 A Sure.</p> <p>19 Q Were you present at a meeting with</p> <p>20 Pangea when a request was made for rent-roll</p> <p>21 information?</p> <p>22 A I don't remember.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q At least near in time to that?</p> <p>2 A I would -- I don't know.</p> <p>3 Q Okay. Do you recall the meeting?</p> <p>4 A I remember having a discussion with</p> <p>5 Cheryl about this one. I don't remember a</p> <p>6 specific meeting, but I remember having a</p> <p>7 discussion about this.</p> <p>8 Q All right. You told us that you</p> <p>9 discussed the issue with Cheryl beforehand to</p> <p>10 decide on a course of action, correct?</p> <p>11 A Yes.</p> <p>12 Q Now, when you talk about recollecting</p> <p>13 something with Cheryl, do you recall being present</p> <p>14 at a meeting with Cheryl and Pangea or not?</p> <p>15 A No.</p> <p>16 Q So you don't have a recollection of</p> <p>17 being present with Pangea?</p> <p>18 A Correct.</p> <p>19 Q Were you aware at the time that a</p> <p>20 request for rent-roll information had been made to</p> <p>21 Pangea?</p> <p>22 A What time? What time are we talking</p>
<p style="text-align: right;">Page 27</p> <p>1 Q Let me show you what is Plaintiff's</p> <p>2 Exhibit 13 in this matter. And it's a multi-page</p> <p>3 email chain. Let me direct your attention, if I</p> <p>4 may, to the page that at the bottom right-hand</p> <p>5 corner has the identifying mark CHA179 and ask you</p> <p>6 if you would take a look at the email that appears</p> <p>7 at the top of that page.</p> <p>8 Have you had a chance to review it?</p> <p>9 A Yes.</p> <p>10 Q Do you recognize this email?</p> <p>11 A Yes.</p> <p>12 Q What is it?</p> <p>13 A This is an email from Cheryl to Brenda</p> <p>14 Jimenez, and I am copied on it, David Jaffee is</p> <p>15 copied on it, and it's an email from Cheryl is</p> <p>16 requesting rent-roll information from Pangea.</p> <p>17 Q She references a meeting that involved</p> <p>18 her and you, does she not?</p> <p>19 A Yes.</p> <p>20 Q Do you believe that meeting occurred</p> <p>21 that same day?</p> <p>22 A I don't know.</p>	<p style="text-align: right;">Page 29</p> <p>1 about?</p> <p>2 Q In April of 2015.</p> <p>3 A I don't know. Yeah. I don't know. Can</p> <p>4 you say your question again?</p> <p>5 Q Sure. Let me come at it a different</p> <p>6 way. You told us that you and Ms. Burns discussed</p> <p>7 doing a review, getting some information and doing</p> <p>8 a review, correct?</p> <p>9 A Yes.</p> <p>10 Q Do you recall that Ms. Burns proceeded</p> <p>11 to do so?</p> <p>12 A Yes.</p> <p>13 Q Did Ms. Burns, as you recall it, keep</p> <p>14 you apprised of what was happening?</p> <p>15 A Yes.</p> <p>16 Q Now, do you recall learning either from</p> <p>17 Ms. Burns or otherwise that a request for</p> <p>18 rent-roll information had been made to Pangea?</p> <p>19 A Yes.</p> <p>20 Q Okay. Now, I'm going to ask you some</p> <p>21 questions generally without giving you at this</p> <p>22 point the benefit of emails. We can go through</p>

8 (Pages 26 - 29)

<p style="text-align: right;">Page 30</p> <p>1 emails later.</p> <p>2 A Okay.</p> <p>3 Q Looking at the whole issue generally</p> <p>4 what do you recall Pangea's response being to the</p> <p>5 request for rent-roll information?</p> <p>6 A Generally, I remember that there was a</p> <p>7 significant amount of back and forth between the</p> <p>8 CHA and Pangea and that the information provided</p> <p>9 by Pangea was not in a format that was easy for us</p> <p>10 to analyze. And again, when I say we, I mean CHA.</p> <p>11 Q And when you say "a significant back and</p> <p>12 forth," what is your recollection of how long that</p> <p>13 went on?</p> <p>14 A I don't remember specifics. A couple</p> <p>15 months.</p> <p>16 Q And what was the verbal outcome of that</p> <p>17 back and forth?</p> <p>18 A I don't remember. I -- I don't</p> <p>19 remember.</p> <p>20 Q Okay. Do you recall yourself being</p> <p>21 involved in any of that back and forth?</p> <p>22 A I remember being copied on emails, but I</p>	<p style="text-align: right;">Page 32</p> <p>1 Q Yes, ma'am.</p> <p>2 A I would say in summary that Pangea is</p> <p>3 explaining why they don't want to provide</p> <p>4 additional information that CHA had requested, and</p> <p>5 they outlined three different reasons as to why</p> <p>6 they don't want to provide that information.</p> <p>7 Q So Pangea is pushing back on the request</p> <p>8 for rent roll information?</p> <p>9 A Yes.</p> <p>10 Q And in particular pushing back on it</p> <p>11 insofar as it related to the market-rate tenants?</p> <p>12 A Yes.</p> <p>13 Q Did you believe CHA had a right to that</p> <p>14 information?</p> <p>15 A Yes.</p> <p>16 Q And do you recall why you believe CHA</p> <p>17 had a right to it?</p> <p>18 A It is in the regulation and in the</p> <p>19 housing assistance payment contract that a</p> <p>20 landlord enters into with the CHA.</p> <p>21 Q So let me ask you to take a look at the</p> <p>22 time of day that this email from Mr. Jaffee</p>
<p style="text-align: right;">Page 31</p> <p>1 would -- Cheryl was taking the lead on it. I had</p> <p>2 pretty limited involvement. It was, again,</p> <p>3 something she was taking the lead on. So I wasn't</p> <p>4 paying a huge amount of attention to it.</p> <p>5 Q Let me ask you to take a look at the</p> <p>6 same exhibit in front of you, Exhibit 13, and look</p> <p>7 at the preceding page, the one you just looked at,</p> <p>8 the one that is marked CHA 178 at the bottom, and</p> <p>9 ask you to review the email that appears the</p> <p>10 bottom two thirds of that page.</p> <p>11 Have you had a chance to look at it?</p> <p>12 A Yes.</p> <p>13 Q Do you recall that email?</p> <p>14 A No.</p> <p>15 Q Do you recognize it now that you see it?</p> <p>16 A Yes.</p> <p>17 Q Okay. And how would you summarize this</p> <p>18 email. Obviously, it speaks for itself, but what</p> <p>19 was your reaction to this email?</p> <p>20 A I don't remember what my reaction was.</p> <p>21 Do you want me to tell you how I'm interpreting it</p> <p>22 now?</p>	<p style="text-align: right;">Page 33</p> <p>1 arrived. Do you see that?</p> <p>2 A Uh-huh.</p> <p>3 Q 8:31 a.m.</p> <p>4 A Uh-huh.</p> <p>5 Q I need you to say yes or no.</p> <p>6 A Yes. Sorry. Yes.</p> <p>7 Q I'm going to show you another exhibit,</p> <p>8 Ms. Ludwig. This is Defendants' Exhibit 35. And</p> <p>9 let me direct your attention to start with to the</p> <p>10 first page of this exhibit marked CHA 10 to the</p> <p>11 email in the middle of the page.</p> <p>12 Do you see that?</p> <p>13 A Yes.</p> <p>14 Q And do you recognize that as an email</p> <p>15 you sent?</p> <p>16 A Yes.</p> <p>17 Q And that is sent on the very same day at</p> <p>18 8:42?</p> <p>19 A Yes.</p> <p>20 Q So basically within minutes of when</p> <p>21 Mr. Jaffee sent his?</p> <p>22 A Yes.</p>

<p style="text-align: right;">Page 34</p> <p>1 Q And this is sent by you?</p> <p>2 A Yes.</p> <p>3 Q And you say: Very annoying. I know</p> <p>4 this is in the regs, but is it also listed in the</p> <p>5 HAP contract?</p> <p>6 A Correct.</p> <p>7 Q And you are sending this email to</p> <p>8 Ms. Burns?</p> <p>9 A Correct.</p> <p>10 Q And this is unprompted by Ms. Burns.</p> <p>11 This is your reaction to looking at Mr. Jaffee's</p> <p>12 email?</p> <p>13 A Correct.</p> <p>14 Q Do you recall this incident with the</p> <p>15 benefit of the email?</p> <p>16 A I don't recall it. I'm reading it now,</p> <p>17 you know, so -- but I don't -- I don't</p> <p>18 specifically recall this.</p> <p>19 Q It doesn't trigger a recollection for</p> <p>20 you?</p> <p>21 A No.</p> <p>22 Q All right. And then let me direct your</p>	<p style="text-align: right;">Page 36</p> <p>1 BY MR. GORDON:</p> <p>2 Q Ms. Ludwig, do you recognize the email</p> <p>3 in the middle of Exhibit 60 as being another email</p> <p>4 you sent to Ms. Ludwig the same day?</p> <p>5 A I sent to Ms. Burns.</p> <p>6 Q I'm sorry.</p> <p>7 A That's okay. Yes.</p> <p>8 Q And this is about ten minutes after your</p> <p>9 first one?</p> <p>10 A Yes.</p> <p>11 Q And there you say: Ooh, I found it in</p> <p>12 the HAP contract.</p> <p>13 A Yes.</p> <p>14 Q With an exclamation.</p> <p>15 A Yes.</p> <p>16 Q So you were pleased with yourself?</p> <p>17 A Yes.</p> <p>18 Q All right. And then Ms. Burns responds</p> <p>19 to you: I was in a meeting. Thanks. Do you</p> <p>20 recall to respond or should I?</p> <p>21 A Yes.</p> <p>22 Q Do you recall who responded to Pangea?</p>
<p style="text-align: right;">Page 35</p> <p>1 attention now to the email at the top of the first</p> <p>2 page of that exhibit -- or actually, let me direct</p> <p>3 your attention not to that, but to a -- because I</p> <p>4 believe the timing on that is inaccurate -- I'm</p> <p>5 going to show you a different version of it.</p> <p>6 Let me show you what has been marked for</p> <p>7 identification as Defendants' Exhibit 60 and direct</p> <p>8 your attention to the email in the middle of that</p> <p>9 exhibit.</p> <p>10 (DEFENDANTS' Exhibit Number 60 was</p> <p>11 marked for identification.)</p> <p>12 BY MR. GORDON:</p> <p>13 Q Do you recognize that, Ms. Ludwig, as</p> <p>14 another email that you sent to Ms. Burns?</p> <p>15 MR. FITZSIMMONS: Can I -- just for the</p> <p>16 record, I think we stopped at Exhibit 59, so you are</p> <p>17 marking this one now as Exhibit 60?</p> <p>18 MR. GORDON: Yes. That's why I started</p> <p>19 with 60. Mike told me that we were at 59.</p> <p>20 MR. FITZSIMMONS: You premarked them so I</p> <p>21 wasn't expecting that you had premarked it. All</p> <p>22 right. We're on the same page.</p>	<p style="text-align: right;">Page 37</p> <p>1 A I do not.</p> <p>2 Q Since the matter was primarily</p> <p>3 Ms. Burns' to pursue, why was it that you took it</p> <p>4 on yourself to figure out where in the HAP</p> <p>5 contract it was?</p> <p>6 A I don't know. I couldn't comment on why</p> <p>7 I decided to do that. So yeah. I don't know.</p> <p>8 Q All right. Ms. Ludwig, you told us that</p> <p>9 you recall that as this back and forth between CHA</p> <p>10 and Pangea over the rent rolls went on, Pangea</p> <p>11 provided information in a format that was -- I</p> <p>12 don't want to put words in your mouth -- but a</p> <p>13 format that was difficult or not easy to use.</p> <p>14 A Yes. My recollection is that the</p> <p>15 information we got from Pangea didn't easily lend</p> <p>16 itself to allowing us -- allowing staff to make</p> <p>17 comparisons and do analysis.</p> <p>18 Q Do you recall why that was?</p> <p>19 A I think -- I don't remember the specific</p> <p>20 reasons. I just remember it was not easy.</p> <p>21 Q And do you recall discussing this with</p> <p>22 Ms. Burns?</p>

<p style="text-align: right;">Page 38</p> <p>1 A Yes.</p> <p>2 Q And do you recall discussing it with</p> <p>3 anybody else?</p> <p>4 A No.</p> <p>5 Q Was CHA ultimately able to obtain</p> <p>6 information from Pangea in a form that it found</p> <p>7 usable?</p> <p>8 A I'm not sure. I don't remember.</p> <p>9 Q Do you recall any steps that CHA took in</p> <p>10 the course of getting Pangea to provide</p> <p>11 information?</p> <p>12 A Do I remember any steps --</p> <p>13 Q Yes.</p> <p>14 A -- involved. Other than making the</p> <p>15 request, I don't remember any steps.</p> <p>16 (DEFENDANTS' Exhibit Number 61 was</p> <p>17 marked for identification.)</p> <p>18 BY MR. GORDON:</p> <p>19 Q Ms. Ludwig, I'm going to show you what's</p> <p>20 been marked for identification as Defendants'</p> <p>21 Exhibit 61. And I'm going to direct your</p> <p>22 attention first to the email at the bottom of the</p>	<p style="text-align: right;">Page 40</p> <p>1 Pangea if they didn't produce the information, the</p> <p>2 rent roll information?</p> <p>3 A Yes.</p> <p>4 Q Do you believe Ms. Burns wanted to make</p> <p>5 sure you were okay with that?</p> <p>6 A Yes. She probably just wanted to make</p> <p>7 sure I was okay with that.</p> <p>8 Q Now, during your tenure at CHA do you</p> <p>9 recall ever making that sort of threat to a</p> <p>10 landlord other than Pangea?</p> <p>11 A Me, personally?</p> <p>12 Q CHA doing it.</p> <p>13 A I don't have any recollection one way or</p> <p>14 the other. It's possible. I just don't remember.</p> <p>15 Q Okay. That would be a fairly drastic</p> <p>16 step, wouldn't it?</p> <p>17 MR. KUMAR: Objection to form. You may</p> <p>18 answer.</p> <p>19 THE WITNESS: I don't know if it would be</p> <p>20 drastic. I think it -- you know, we took our</p> <p>21 commitment really seriously, and if people aren't --</p> <p>22 if landlords weren't following the rules, right,</p>
<p style="text-align: right;">Page 39</p> <p>1 first page marked CHA 90, an email from Ms. Burns</p> <p>2 to you dated June 15th, 2015, at 1:46 p.m.</p> <p>3 A Yes.</p> <p>4 Q Okay. Would you review that, please?</p> <p>5 A Yes.</p> <p>6 Q Do you recognize that email as one that</p> <p>7 Ms. Burns sent to you?</p> <p>8 A Yes.</p> <p>9 Q And now that you've had a chance to</p> <p>10 review it, do you recall it?</p> <p>11 A No. I mean, it was sent clearly. I</p> <p>12 received it, but I don't remember getting it.</p> <p>13 Q All right. Now, in this email Ms. Burns</p> <p>14 is running by you an email that she's thinking</p> <p>15 about sending to Pangea, correct?</p> <p>16 A Correct.</p> <p>17 Q Why would she run that by you?</p> <p>18 A I don't know why. I don't know what her</p> <p>19 motivation would be. I don't know.</p> <p>20 Q Well, the email that she proposed to</p> <p>21 send to Pangea basically contained a threat,</p> <p>22 didn't it, that CHA would cut off new units for</p>	<p style="text-align: right;">Page 41</p> <p>1 then we were going to do what needed to be done to</p> <p>2 ensure compliance.</p> <p>3 So drastic, I guess, is a -- an opinion,</p> <p>4 right? Some people might say it's drastic, and I</p> <p>5 would say, hey, it's not drastic; this is the ways</p> <p>6 -- this is the rules. So yeah, I guess, it's hard</p> <p>7 to say whether it would be drastic or not.</p> <p>8 BY MR. GORDON:</p> <p>9 Q How significant an issue was it that</p> <p>10 there was an allegation that Pangea was charging</p> <p>11 more for assisted units than for comparable</p> <p>12 unassisted units in the same building?</p> <p>13 A I don't -- I don't know -- I would say</p> <p>14 we were concerned. I don't know that I could rate</p> <p>15 the significance, but I would say that we were</p> <p>16 concerned about it.</p> <p>17 Q If you confirmed that that was</p> <p>18 happening, what would CHA have done?</p> <p>19 MR. FITZSIMMONS: Objection. Calls for a</p> <p>20 hypothetical.</p> <p>21 THE WITNESS: I don't know. Again, I</p> <p>22 haven't been there in a while. I don't remember all</p>

<p style="text-align: right;">Page 42</p> <p>1 of the different processes that we had in place for  2 how to proceed in these kinds of cases. So I'm not  3 exactly sure what the steps would have been. So...  4 BY MR. GORDON:  5 Q In general what do you think the steps  6 would have been?  7 MR. FITZSIMMONS: Same objection.  8 THE WITNESS: I think we would have moved  9 to bring the landlord into compliance or -- and that  10 may include asking them to -- you know, having them  11 no longer participate in the program.  12 BY MR. GORDON:  13 Q Why would ending their participation in  14 the program be called for? Or are you suggesting  15 that it would be a step if the landlord wouldn't  16 come into compliance?  17 A Correct. So I interpreted your question  18 to mean if we determined that a landlord was not  19 in compliance what would the CHA have done.  20 Q Yes.  21 A So again, this is why this gets  22 difficult, right, because there's lots of what</p>	<p style="text-align: right;">Page 44</p> <p>1 Q And what was the nature of the  2 noncompliance?  3 A I don't remember the specific cases. I  4 don't remember the ins and outs and the specifics  5 of them. I just have, again, general recollection  6 of us taking action against landlords.  7 Q Now, directing your attention back to  8 Exhibit 61, after Ms. Burns sent you the email  9 we've just discussed, you responded to her that  10 you were fine with her sending the email to  11 Pangea?  12 A Yes.  13 Q And you added that -- you made a  14 suggestion for adding to it, right?  15 A Correct.  16 Q What was that suggestion?  17 A I wrote that she should ask for the data  18 to be in either an .xlsx or .csv format because  19 Pangea kept sending us PDFs which were not easy to  20 analyze.  21 Q Do you recall what the result was after  22 Ms. Burns sent this email?</p>
<p style="text-align: right;">Page 43</p> <p>1 ifs. But generally speaking, we would require  2 them to get into compliance or ask them -- you  3 know, require that they no longer participate in  4 the program. Those would be sort of two choices.  5 Q Do you recall this issue coming up  6 during your tenure with any landlord other than  7 Pangea?  8 MR. FITZSIMMONS: Objection.  9 MR. KUMAR: Objection to form.  10 THE WITNESS: I don't off the top of my  11 head. Again, this was a long time ago.  12 BY MR. GORDON:  13 Q During your tenure with CHA do you  14 recall making decisions to exclude any landlords  15 from the voucher program based on noncompliance  16 with requirements?  17 A I have vague recollection of taking  18 action against some landlords. How far it went in  19 terms of whether or not they were cut out of the  20 program, I can't recall. But I do know we, you  21 know, took action against -- you know,  22 compliance-related action against landlords.</p>	<p style="text-align: right;">Page 45</p> <p>1 A I don't.  2 Q Do you recall ever following up with her  3 about what rent roll data Pangea produced?  4 A I don't remember having follow-up  5 conversations. I don't remember.  6 Q During this back and forth between CHA  7 and Pangea about obtaining the rent roll  8 information, who was the principal point of  9 contact at Pangea?  10 A I don't know. Cheryl was our main  11 point. So I don't know who the main point at  12 Pangea was.  13 Q Did you ever discuss this issue directly  14 with anyone at Pangea?  15 A Not that I remember.  16 Q Did you ever discuss this issue, the  17 back and forth, about the rent rolls with any of  18 your superiors at CHA?  19 A Not that I recall.  20 Q Do you recall ever discussing Pangea  21 with any of your superiors at CHA?  22 A Not off -- not that I remember, no.</p>

<p style="text-align: right;">Page 46</p> <p>1 Q Ms. Ludwig, I'm going to show you what 2 is Plaintiff's Exhibit 26 and direct your 3 attention to the email at the top of the first 4 page of that exhibit from Ms. Burns to you dated 5 November 2nd, 2015. 6 A Yup. 7 Q And in that email Ms. Burns advises you: 8 Katie, per our discussion this was the last report 9 Russell provided to me. 10 Who is Russell? 11 A Russell was another employee at CHA who 12 worked with Cheryl and I in the HCV program. 13 Q What did he do? 14 A I don't remember Russell's exact title, 15 but I sort of always thought of him as our 16 SharePoint administrator. So SharePoint is a -- 17 it's a Microsoft product that, you know, helps out 18 with file sharing. That's about all my limited 19 knowledge is. We made great use of that at HCV -- 20 in the HCV program. As you can imagine there was 21 a lot of paper always going back and forth. And 22 we tried to have as much of our records stored</p>	<p style="text-align: right;">Page 48</p> <p>1 THE WITNESS: I'm not sure. Again, Share 2 wasn't my main point of contact, so I don't know. 3 BY MR. GORDON: 4 Q This email references a discussion 5 between you and Ms. Burns regarding Pangea, 6 correct? 7 A Yes. 8 Q And in the time frame of November 2015? 9 A Correct. 10 Q Do you recall having a discussion with 11 Ms. Burns about how the investigation or reviewer 12 had progressed? 13 A I don't remember having a specific 14 conversation. 15 Q All right. Aside from a specific 16 conversation, what is your general recollection? 17 A I don't remember, I should say, having 18 any conversation. I don't remember. 19 Q You don't have any recollection of 20 finding out from Ms. Burns how the back and forth 21 with Pangea had concluded? 22 A I don't remember.</p>
<p style="text-align: right;">Page 47</p> <p>1 electronically as possible, so we needed a way to 2 share that. So hence we used SharePoint, and 3 Russell was our sort of, again, administrator of 4 that SharePoint site. 5 Q So would it be fair to say that he would 6 extract data for you from SharePoint? 7 A He never extracted data for me 8 personally from SharePoint, so I can't comment on 9 that. 10 Q Well, what did you understand that he 11 did as the administrator of the SharePoint system? 12 A He was sort of making sure that data was 13 organized well -- again, not my area of expertise, 14 right, administering the SharePoint site. So I'm 15 not exactly sure what he did on a day-to-day 16 basis, but making sure that information was 17 organized and that everyone who needed to could 18 access it. 19 Q Why would he have been looking at data 20 provided by Pangea? 21 MR. FITZSIMMONS: Objection to form and 22 foundation. You may answer.</p>	<p style="text-align: right;">Page 49</p> <p>1 Q Do you recall ever being asked by 2 Ms. Burns whether the review should continue 3 further or be ended? 4 A No, I don't remember. 5 Q Do you recall that CHA had an 6 administrative plan for the housing choice voucher 7 program? 8 A Yes. 9 Q And is the administrative plan a program 10 requirement? 11 MR. KUMAR: Objection to form. You may 12 answer. 13 THE WITNESS: It is -- yes. HUD -- I'm 14 interpreting that to mean is it required by HUD. 15 And I would say, yes, it is required that a housing 16 authority have an administrative plan that outlines 17 a policy's rules, et cetera, for the program. 18 BY MR. GORDON: 19 Q Did CHA prepare such a program annually? 20 A Plan. Yes. We have our administrative 21 plan. I don't know that we prepared it annually, 22 like we reviewed it, and if we were going to make</p>

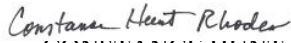


<p style="text-align: right;">Page 50</p> <p>1 changes, we would bring those. There was a whole  2 process for how you were going to do changes to  3 the plan. So we reviewed it. I don't know that  4 we made -- maybe we did -- I don't know if we made  5 changes every year or not, though.  6 Q Who was responsible for reviewing the  7 administrative plan and updating it?  8 A I don't remember like specifically who's  9 responsibility that was. There were let's of  10 people who would provide suggestions about things  11 that we might need to update in the plan. But I  12 don't recall like who the one specific person, you  13 know, that was responsible for making those -- all  14 those changes.  15 Q What was your role with respect to the  16 administrative plan?  17 A I would say kind of high level reviewing  18 changes -- you know, suggesting changes and then  19 shepherding -- again, there was a whole process  20 for how that had to get approved, those changes  21 had to get approved. And so sort of shepherding  22 it through the process was my role.</p>	<p style="text-align: right;">Page 52</p> <p>1 Exhibit 55. Ms. Ludwig, do you recognize this  2 exhibit?  3 A Yes.  4 Q What is it?  5 A It is a -- it looks like an excerpt from  6 the CHA's administrative plan.  7 Q For the --  8 A Housing choice voucher program.  9 Q And this is the 2015 plan?  10 A Yes.  11 Q And you say it looks like an excerpt.  12 Is this the entire plan?  13 A I remember the entire plan being much  14 longer than this, but I don't know.  15 Q Okay.  16 A I haven't looked through the whole  17 thing.  18 Q All right. Now let me direct your  19 attention, if I may, to page 14-4?  20 A 14-4, yes.  21 Q And take a minute and read through that,  22 if you would. Have you had a chance to review it?</p>
<p style="text-align: right;">Page 51</p> <p>1 Q And what was the process for approving  2 any changes to the plan after you had reviewed it?  3 A I don't remember all the individual  4 steps. I believe we had to get public comment and  5 board approval. There may have been more  6 involved. But those are the two sort of things  7 that I remember.  8 Q Do you recall ever going through that  9 process while you were at CHA?  10 A Making changes to the administrative  11 plan? Yes.  12 Q And do you recall doing it on more than  13 one occasion?  14 A All a bit of a blur. I don't remember.  15 No. I mean, probably -- I can't say. I remember  16 going through it. I don't know how many times I  17 would have gone through it.  18 MR. GORDON: Is this a convenient time for  19 a five-minute break.  20 (Whereupon, a brief recess was taken.)  21 BY MR. GORDON:  22 Q Ms. Ludwig, let me show you Plaintiff's</p>	<p style="text-align: right;">Page 53</p> <p>1 A One second. I just want to read the  2 last section.  3 Q Sure.  4 A Okay. Yup.  5 Q Now, page 14-4 deals with the  6 investigating errors and program abuse, correct?  7 A Correct.  8 Q Would it be fair to say that the -- what  9 CHA did in 2015 with Pangea was to investigate  10 whether there was -- had been any program abuse?  11 A I would have thought of it as a review  12 more than an investigation.  13 Q Why is that?  14 A Because we just wanted to understand  15 all -- you know, review all the information before  16 us to kind of understand better what direction we  17 were going to head in.  18 Q If in fact Pangea was charging more for  19 assisted units than for comparable unassisted  20 units in the same building, would that in your  21 mind constitute program abuse?  22 A Yes.</p>



<p style="text-align: right;">Page 54</p> <p>1 Q And if the -- did you understand that</p> <p>2 there was a specific complaint that had been</p> <p>3 received by CHA alleging that Pangea had done</p> <p>4 this?</p> <p>5 MR. KUMAR: Objection to form.</p> <p>6 THE WITNESS: I didn't know of a specific</p> <p>7 complaint when Cheryl and I talked about it. I knew</p> <p>8 there were complaints or -- you know, a complaint or</p> <p>9 complaints. I didn't know -- or at least I don't</p> <p>10 remember the specific nature of any of those</p> <p>11 complaints. It was more that, hey, we've got this</p> <p>12 concern.</p> <p>13 BY MR. GORDON:</p> <p>14 Q And did you discuss with Ms. Burns</p> <p>15 whether that concern was well founded enough to</p> <p>16 make a demand for information from Pangea?</p> <p>17 A I don't remember.</p> <p>18 Q What would you consider an investigation</p> <p>19 as opposed to a review?</p> <p>20 A I don't remember. I feel like there</p> <p>21 were probably -- at the time we had sort of</p> <p>22 different ways we -- what's the word I'm looking</p>	<p style="text-align: right;">Page 56</p> <p>1 with respect to Pangea allegedly charging more for</p> <p>2 assisted units than for comparable unassisted</p> <p>3 units?</p> <p>4 A I don't know either way.</p> <p>5 Q Under this policy, if an investigation</p> <p>6 had occurred, would you expect CHA to have</p> <p>7 prepared a written report of its conclusions?</p> <p>8 A I don't know. I don't know if -- again,</p> <p>9 without reviewing the rest of the administrative</p> <p>10 plan and understanding all that, I don't know if a</p> <p>11 written report would have been created.</p> <p>12 Q Do you recall during your tenure at CHA</p> <p>13 a written report ever being prepared regarding an</p> <p>14 investigation of a landlord?</p> <p>15 MR. KUMAR: Objection. Foundation. You</p> <p>16 may go ahead.</p> <p>17 THE WITNESS: Can you repeat it?</p> <p>18 BY MR. GORDON:</p> <p>19 Q Sure. During your tenure with CHA do</p> <p>20 you recall a written report being prepared</p> <p>21 regarding an investigation of a landlord?</p> <p>22 A I don't remember.</p>
<p style="text-align: right;">Page 55</p> <p>1 for -- categorized things. I don't remember those</p> <p>2 off the top of my head. Again, right now, I kind</p> <p>3 of remember this and think of it as a review; but</p> <p>4 I don't -- I don't know what the specific --</p> <p>5 that's just what I'm remembering. I don't</p> <p>6 remember sort of what made one a review versus an</p> <p>7 investigation.</p> <p>8 Q Do you think that the review, as you</p> <p>9 recall it, that was conducted by CHA of Pangea</p> <p>10 falls under the section of the administrative</p> <p>11 plan?</p> <p>12 A I've been away from this for a while</p> <p>13 that I don't want to comment on this. So yeah, I</p> <p>14 don't know.</p> <p>15 Q Now, the administrative plan provides,</p> <p>16 does it not, that for each investigation the CHA</p> <p>17 will determine whether an error or program abuse</p> <p>18 has occurred; is that right?</p> <p>19 A That is what the administrative plan</p> <p>20 says.</p> <p>21 Q To your knowledge did CHA ever determine</p> <p>22 whether an error of program abuse had occurred</p>	<p style="text-align: right;">Page 57</p> <p>1 Q Directing your attention to the last</p> <p>2 part of that page dealing with consideration of</p> <p>3 remedies, it provides that in the case of</p> <p>4 owner-caused errors or program abuse, the CHA will</p> <p>5 take into consideration, one, the seriousness of</p> <p>6 the offense; two, the length of time since the</p> <p>7 violation has occurred; and three the effects of a</p> <p>8 particular remedy on the family living in the</p> <p>9 unit.</p> <p>10 Do you see that?</p> <p>11 A Yes.</p> <p>12 Q Do you recall ever being involved in</p> <p>13 considering what remedy should be applied to a</p> <p>14 landlord in a particular case?</p> <p>15 A No. Not off the top of my head, no. I</p> <p>16 don't recall.</p> <p>17 Q Do you recall that -- these issues ever</p> <p>18 being discussed with respect to Pangea?</p> <p>19 A No.</p> <p>20 MR. GORDON: I have no further questions.</p> <p>21 MR. KUMAR: Counsel?</p> <p>22 MR. FITZSIMMONS: Let me make one phone</p>

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<p style="text-align: right;">Page 58</p> <p>1 call. But I don't think I'm going to have any.  2 Maybe one or two.  3 (Brief pause.)  4 MR. FITZSIMMONS: I have no questions.  5 MR. KUMAR: We will reserve signature.  6 (Whereupon, at 11:38 a.m., the  7 deposition of KATHRYN LUDWIG was  8 concluded.)  9 * * * * *  10  11  12  13  14  15  16  17  18  19  20  21  22</p>	<p style="text-align: right;">Page 60</p> <p>1 Veritext Legal Solutions  2 1100 Superior Ave  3 Suite 1820  4 Cleveland, Ohio 44114  5 Phone: 216-523-1313  6 December 22, 2022  7 To: Sunil Kumar, Esq.  8 Case Name: Muhawi, Antoni v. Pangea Equity Partners, et al.  9 Veritext Reference Number: 5603938  10 Witness: Kathryn Ludwig Deposition Date: 12/6/2022  11 Dear Sir/Madam:  12 Enclosed please find a deposition transcript. Please have the witness  13 review the transcript and note any changes or corrections on the  14 included errata sheet, indicating the page, line number, change, and  15 the reason for the change. Have the witness' signature notarized and  16 forward the completed page(s) back to us at the Production address  17 shown  18 above, or email to production-midwest@veritext.com.  19 If the errata is not returned within thirty days of your receipt of  20 this letter, the reading and signing will be deemed waived.  21 Sincerely,  22 Production Department  23  24 NO NOTARY REQUIRED IN CA</p>
<p style="text-align: right;">Page 59</p> <p>1 CERTIFICATE OF NOTARY PUBLIC  2 I, CONSTANCE HUNT RHODES, the officer  3 before whom the foregoing deposition was taken, do  4 hereby certify that the witness whose testimony  5 appears in the foregoing deposition was duly sworn  6 by me; that the testimony of said witness was  7 taken by me in stenotypy and thereafter reduced to  8 typewriting under my direction; that said  9 deposition is a true record of the testimony given  10 by said witness; that I am neither counsel for,  11 related to, nor employed by any of the parties to  12 the action in which this deposition was taken; and  13 further, that I am not a relative or employee of  14 any attorney or counsel employed by the parties  15 thereto, nor financially or otherwise interested  16 in the outcome of the action.  17  18   19 CONSTANCE HUNT RHODES  20 Notary Public in and for the  21 District of Columbia  22  23 My commission expires:  24 January 14, 2023  25</p>	<p style="text-align: right;">Page 61</p> <p>1 DEPOSITION REVIEW  2 CERTIFICATION OF WITNESS  3 ASSIGNMENT REFERENCE NO: 5603938  4 CASE NAME: Muhawi, Antoni v. Pangea Equity Partners, et al.  5 DATE OF DEPOSITION: 12/6/2022  6 WITNESS' NAME: Kathryn Ludwig  7 In accordance with the Rules of Civil  8 Procedure, I have read the entire transcript of  9 my testimony or it has been read to me.  10 I have made no changes to the testimony  11 as transcribed by the court reporter.  12  13 _____  14 Date Kathryn Ludwig  15 Sworn to and subscribed before me, a  16 Notary Public in and for the State and County,  17 the referenced witness did personally appear  18 and acknowledge that:  19  20 They have read the transcript;  21 They signed the foregoing Sworn  22 Statement; and  23 Their execution of this Statement is of  24 their free act and deed.  25  26 I have affixed my name and official seal  27 this _____ day of _____, 20____.  28  29 _____  30 Notary Public  31 _____  32 Commission Expiration Date</p>

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1 DEPOSITION REVIEW  
CERTIFICATION OF WITNESS

2

3 ASSIGNMENT REFERENCE NO: 5603938  
CASE NAME: Muhawi, Antoni v. Pangea Equity Partners, et al.  
DATE OF DEPOSITION: 12/6/2022  
WITNESS' NAME: Kathryn Ludwig

4 In accordance with the Rules of Civil  
Procedure, I have read the entire transcript of  
5 my testimony or it has been read to me.  
6 I have listed my changes on the attached  
Errata Sheet, listing page and line numbers as  
7 well as the reason(s) for the change(s).  
8 I request that these changes be entered  
as part of the record of my testimony.  
9

10 I have executed the Errata Sheet, as well  
11 as this Certificate, and request and authorize  
that both be appended to the transcript of my  
12 testimony and be incorporated therein.  
13

14 Date Kathryn Ludwig

15 Sworn to and subscribed before me, a  
Notary Public in and for the State and County,  
the referenced witness did personally appear  
16 and acknowledge that:  
17 They have read the transcript;  
They have listed all of their corrections  
18 in the appended Errata Sheet;  
They signed the foregoing Sworn  
19 Statement; and  
Their execution of this Statement is of  
20 their free act and deed.  
21 I have affixed my name and official seal  
22 this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
23  
Notary Public  
24  
\_\_\_\_\_  
25 Commission Expiration Date

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1 ERRATA SHEET  
VERITEXT LEGAL SOLUTIONS MIDWEST

2 ASSIGNMENT NO: 5603938

3 PAGE/LINE(S) / CHANGE /REASON

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20 Date Kathryn Ludwig

21 SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_  
22 DAY OF \_\_\_\_\_, 20\_\_\_\_.  
23  
Notary Public  
24  
\_\_\_\_\_  
25 Commission Expiration Date

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[refer - russell's]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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